

Appl. No. : 10/607,946
Filed : June 27, 2003

REMARKS

Claims 57-69 are pending in this application.

In the Office Action mailed August 10, 2007, Claims 57-69 were rejected under a non-statutory obviousness-type double patenting rejection. In order to progress the prosecution of the present application, Applicant submits herewith an appropriate Terminal Disclaimer over the patent cited in the rejection. Applicant has also elected to terminally disclaim a number of other co-owned patents and pending applications in the submitted Terminal Disclaimer. Accordingly, Applicant respectfully requests withdrawal of the non-statutory obviousness-type double patenting rejection. Applicant notes that a Petition for Suspension of Action on this application has been filed herewith.

Although this communication or previous communications in this application or other related applications may have included alterations to the applications or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations have been made to facilitate expeditious prosecution of the applications. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to have been specifically disavowed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

Conclusion

In view of the foregoing remarks, Applicant submits that this application as amended is in condition for allowance. If any issues require further clarification, the Examiner is respectfully

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requested to call Applicant's attorney of record at the number indicated below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 2/11/08

By: Paul N. Conover
Paul N. Conover
Registration No. 44,087
Attorney of Record
Customer No. 20,995
(949) 760-0404

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